

9 FAM PART IV Appendix C, CUBA

(TL:VISA-300; 07-30-2001)

RECIPROCITY

(TL:VISA-300; 07-30-2001)

Class	Fee	No. Applications	Validity
A-1	NONE	MULTIPLE	12 MONTHS
A-2	NONE	MULTIPLE	[A] 12 MONTHS [A]
A-3 [1]	NONE	MULTIPLE	12 MONTHS
B-1	NONE	ONE	6 MONTHS [B]
B-2	NONE	ONE	6 MONTHS [B]
B-1/B-2	NONE	ONE	6 MONTHS [B]
C-1	\$26.00	ONE	3 MONTHS
C-1/D	\$26.00	ONE	3 MONTHS
C-2	NONE	ONE	3 MONTHS
C-3	NONE	ONE	3 MONTHS
D	NONE	MULTIPLE	3 MONTHS
E-1 [2]	NO TREATY	N/A	N/A
E-2 [2]	NO TREATY	N/A	N/A
F-1	NONE	ONE	3 MONTHS
F-2	NONE	ONE	3 MONTHS
G-1	NONE	MULTIPLE	12 MONTHS
G-2	NONE	ONE	3 MONTHS
G-3	NONE	ONE	3 MONTHS
G-4	NONE	MULTIPLE	12 MONTHS
G-5 [1]	NONE	ONE	3 MONTHS
H-1B	NONE	ONE	3 MONTHS [3]
H-1C	NONE	ONE	3 MONTHS [3]
H-2A	NONE	ONE	3 MONTHS [3]
H-2B	NONE	ONE	3 MONTHS [3]
H-3	NONE	ONE	3 MONTHS [3]
H-4	NONE	ONE	3 MONTHS [3]
I	NONE	ONE	3 MONTHS
J-1 [4]	NONE	ONE	3 MONTHS
J-2 [4]	NONE	ONE	3 MONTHS
K-1	NONE	ONE	6 MONTHS
K-2	NONE	ONE	6 MONTHS
K-3	NONE	ONE	3 MONTHS
K-4	NONE	ONE	3 MONTHS
L-1	NONE	ONE	3 MONTHS [3]
L-2	NONE	ONE	3 MONTHS [3]
M-1	NONE	ONE	3 MONTHS
M-2	NONE	ONE	3 MONTHS
N-8	NONE	MULTIPLE	12 MONTHS
N-9	NONE	MULTIPLE	12 MONTHS
NATO 1-7	N/A	N/A	N/A
O-1	NONE	ONE	3 MONTHS [3]
O-2	NONE	ONE	3 MONTHS [3]
O-3	NONE	ONE	3 MONTHS [3]

P-1	NONE	ONE	3 MONTHS [3]
P-2	NONE	ONE	3 MONTHS [3]
P-3	NONE	ONE	3 MONTHS [3]
P-4	NONE	ONE	3 MONTHS [3]
Q-1 [6]	NONE	ONE	3 MONTHS [3]
R-1	NONE	ONE	3 MONTHS
R-2	NONE	ONE	3 MONTHS
S-5 [7]	NONE	ONE	1 MONTH
S-6 [7]	NONE	ONE	1 MONTH
S-7 [7]	NONE	ONE	1 MONTH
TD [5]	N/A	N/A	N/A
V-1	NONE	ONE	3 MONTHS
V-2	NONE	ONE	3 MONTHS [8]
V-3	NONE	ONE	3 MONTHS [8]

[A] For A-2 VISAS: For a stay of three months or less, a visa receives only one entry. Multiple entries may be granted for a visa to stay for six to 12 months.

[B] For B VISAS: Due to the Treasury Department regulations and administrative processing requirements unique to Cuba, B-1, B-2 and B-1/B-2 visas issued at USINT Havana will be valid for a maximum of 6 months.

SPECIAL CLEARANCE AND ISSUANCE PROCEDURES

(TL:VISA-286; 05-21-2001)

Presidential Proclamation 5377 of October 4, 1985.

Processing in Cuba vs. Processing Outside of Cuba

(TL:VISA-227; 01-09-2001)

Expedited visa processing procedures took effect on May 17, 1999, for certain Cuban nationals in Cuba. The expedited procedures apply to all persons previously subject to the October 4, 1985, Presidential Proclamation on Cuba with six exceptions. VISAS DONKEY and VISAS EAGLE procedures for Cuban visa applicants applying for visas outside of Cuba have not changed and are reiterated below.

Submission of Visa Applications and Photographs

(TL:VISA-227; 01-09-2001)

A copy of the visa application [Form OF-156] of all nonimmigrant visa recipients, with a recent, original photograph firmly affixed [two photographs in the case of professional diplomatic couriers], must be sent directly and expeditiously to the Washington Field Office, 601 4th Street, N.W., Washington, D.C. 20535-0002, Attn: Stuart Hoyt . This procedure is in addition to the telegraphic name check and security advisory opinion requirements listed below. Exceptions to this procedure are:

(1) No application or photograph need be submitted in cases involving chiefs and deputy chiefs of state, heads of government, chiefs of mission, their immediate families and accompanying crew members; and

(2) No photograph need be provided if one has been submitted within the previous three years.

Official Travel

"VISAS BEAR" Security Advisory Opinion Requests

(TL:VISA-136; 03-22-1996)

A "VISAS BEAR" telegram must be submitted for all A, C-3, and G visa applications. When a "VISAS BEAR" security advisory opinion has been requested, the Department's response is required prior to visa issuance. USINT Havana must always be included as an info addressee on VISAS BEAR telegrams.

Port of Entry Restrictions for A, C-3, G-1, and G-2 Visa Holders

Designated Ports of Entry

(TL:VISA-91; 08-01-1994)

Cuban bearers of A, C-3, G-1, and G-2 visas may only enter the United States through one of the designated ports of entry listed below:

- (1) New York City;
- (2) Washington, D.C. (Dulles only);
- (3) Miami; and
- (4) Houston.

There are no restrictions on the ports through which Cuban officials may depart the United States.

Annotation of Visas

(TL:VISA-180; 10-15-1998)

The designated port(s) of entry that will be used should be entered in the annotation field of the MRV as follows: "Entry at [name of designated port(s)]". For officials issued multiple-entry visas, all of the above-designated ports should be annotated. If the designated port of entry changes after issuance of the visa, a notation of that change, signed and sealed by a consular officer, should be made on the next available page of the passport. The designated port(s) of entry should be indicated in the required VISAS BEAR telegram.

For U.S. INT Havana

"VISAS DONKEY" Security Advisory Opinion Requests.

(TL:VISA-287; 05-29-2001)

On January 5, 1999, the President announced measures designed to promote people-to-people contact between the United States and Cuba, particularly in the educational, cultural, scientific, athletic, professional and religious areas. In order to facilitate people-to-people contact, the procedures for handling visa applicants under the October 4, 1985 Presidential Proclamation of Cuba, suspending the entry into the United States of certain employees and officers of the Government of Cuba and the Communist Party of Cuba under section 212(f) of the Immigration and Nationality Act (INA), were modified. The following six categories of employees or officials of the Government of Cuba or the Communist Party of Cuba applying in Cuba are subject to the VISAS DONKEY procedures:

The six categories of person that remain subject to the Proclamation and the VISAS DONKEY procedures are:

- (1) The President and the Vice-President, a minister or vice minister of the Government of Cuba;
- (2) The President and the Vice President of the National Assembly of Cuba;
- (3) A Politburo member, Central Committee Department Head and Provincial First Secretary of the Communist Party of Cuba;
- (4) A senior military, intelligence, police official;

(5) A Cuban Government or Communist Party officer or employee determined by the U.S. Interests Section to be a person of potential foreign policy concern to the United States; and

(6) A Cuban Government or Communist Party officer or employee whose application is opposed by an interested USG agency within 10 days of submission of the case to Washington. (USINT Havana will not be required to send a new VISAS DONKEY cable on such cases, as the Department will reference Havana's initial VISAS EAGLE cable when requesting that visa processing be suspended.)

Employees or officers of the Government of Cuba or the Communist Party of Cuba who do not fall within the six categories requiring security advisory opinions noted above are now subject to a 10-working day VISAS EAGLE pre-check procedure. This means the Interests Section is required to send a VISAS EAGLE name check cable on such persons and is authorized to issue a visa after a 10 working day (not calendar day) suspense period. The Interests Section is instructed to send a VISAS EAGLE telegram on a post check basis for all other Cuban applicants (non-immigrants, immigrants, and applicants for refugee status) who are ages 21-55.

“VISAS EAGLE” Name Check at the USINT Havana

(TL:VISA-227; 01-09-2001)

A VISAS EAGLE telegram must be submitted on non-immigrants on a pre-check basis for all employees and officers of the Government of Cuba and the Communist Party of Cuba who do not fall within the categories requiring a security advisory opinion as indicated above. A VISAS EAGLE telegram must be submitted on a post-check basis for all other non-immigrants, all immigrant applicants, and all applicants for refugee status who are ages 21-55.

For All Visa Issuing Posts Except USINT Havana

(TL:VISA-287; 05-29-2001)

On October 4, 1985, the President signed a proclamation suspending the entry into the United States as nonimmigrants of Cuban nationals who are officers or employees of the Government of Cuba or the Communist Party of Cuba under section 212(f) of the Immigration and Nationality Act. Due to the structure of the Cuban economy, the Presidential Proclamation effectively requires that all other visa issuing posts submit security advisory opinion requests on nearly all categories of Cuban nationals.

“VISAS DONKEY” Security Advisory Opinion Requests

(TL:VISA-227; 01-09-2001)

When a VISAS DONKEY advisory opinion has been requested, the Department's response is required prior to visa issuance. In addition, USINT Havana should always be an info addressee on these telegrams.

For all visa issuing posts, except USINT Havana, a VISAS DONKEY telegram must be submitted for the following categories of nonimmigrant visa applicants coming for nonofficial purposes:

- (1) Any person, including a child, who presents a Cuban diplomatic or official passport;
- (2) Any person who works in a Cuban Government office, university, or state commercial enterprise, and is traveling for job-related purposes of whose travel is funded by the Cuban Government;
- (3) Any person who holds a professional or managerial position in a Cuban Government office, university, or state commercial enterprise, and is traveling for job-related purposes or whose travel is funded by the Cuban Government;
- (4) Any Cuban resident who is a professional performer or artist;
- (5) Any person who works as a manager or professional on a project in another country “on loan” from Cuba;
- (6) Any person suspected of violating Cuban Assets Control Regulations, or of traveling to the United States on behalf of Cuban commercial enterprises;
- (7) Any Cuban who is applying for an individual crewmember (C-1/D) visa, regardless of the registry of the vessel or the applicant's position aboard; and
- (8) Any applicant on whom the consular officer wishes to have the Department's security advisory opinion.

Visas Eagle Name Checks for Applicants Outside of Cuba

(TL:VISA-287; 05-29-2001)

Posts must continue to send Visas Eagle telegrams on a pre-issuance basis for all Cuban applicants ages 16-80 who are not applying for immigrant visas or refugee status and who are not subject to the VISAS DONKEY requirement. For Cuban applicants ages 16-80 who are applying for nonimmigrant visas, and who are not subject to the VISA DONKEY requirement, posts may send a post issuance EAGLE telegram.

DOCUMENTS AND RECORDS

Police and Prison Records

(TL:VISA-180; 10-15-1998)

Police and prison records are available from the Ministry of Justice. There may be a fee for this service.

Court Records

(TL:VISA-180; 10-15-1998)

Supposed to be available from the courts; however, in practice, sometimes unavailable.

Military Records

(TL:VISA-136; 03-22-1996)

Unavailable.

Birth, Marriage, Death and Divorce Certificates

(TL:VISA-180; 10-15-1998)

These certificates are available from the Ministry of Justice, however, there are fees for these services.

Former citizens of Cuba, including all dual nationals, are considered Cubans by the Cuban Government, and must apply for civil documents through Cuban diplomatic and consular missions abroad. Foreign nationals (formerly resident in Cuba) are not considered Cuban nationals by the Cuban Government and may apply either through their diplomatic or consular missions in Cuba. There is a fee for a certificate of birth, marriage, divorce, death, police or prison record. All requests for documents made through the Cuban Interests Section in Washington, D.C. must include a non-refundable \$20.00 money order. If the document is located, the applicant must pay an additional fee via money order to obtain a copy of the document. The Cuban authorities will not accept requests for civil documentation from the U.S. Interests Section on behalf of Cubans in the United States or any other third country.

VISA ISSUING POST

(TL:VISA-136; 03-22-1996)

The U.S. Interests Section of the Swiss Embassy, Havana (USINT), opened on September 1, 1977. Nonimmigrant and immigrant visas services are available at USINT.

GEOGRAPHIC AREA SERVICED

(TL:VISA-91; 08-01-1994)

All of Cuba.